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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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# UTILITY PATENT APPLICATION TRANSMITTAL

Attorney Docket No. 030727.0037.CIP1

First Inventor van Poeije

Title A Combination of FBPase Inhibitors and  
Antidiabetic Agents for the Treatment of Diabetes

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Express Mail Label No.

EL 675945544US

**APPLICATION ELEMENTS**

See MPEP chapter 600 concerning utility patent application contents.

- Fee Transmittal Form (e.g., PTO/SB/17)  
*(Submit an original and a duplicate for fee processing)*
- Applicant claims small entity status.  
See 37 CFR 1.27.
- Specification  
*(preferred arrangement set forth below)* [Total Pages 389]
  - Descriptive title of the invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings *(if filed)*
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
- Drawing(s) (35 U.S.C. 113) [Total Sheets ]
- Oath or Declaration [Total Pages 4]
  - a.  Newly executed (original or copy)
  - b.  Copy from a prior application (37 CFR 1.63 (d))  
*(for continuation/divisional with Box 18 completed)*
    - i.  **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
- Application Data Sheet. See 37 CFR 1.76

**ADDRESS TO:**Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

7.  CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission  
*(if applicable, all necessary)*
  - a.  Computer Readable Form (CRF)
  - b. Specification Sequence Listing on:
    - i.  CD-ROM or CD-R (2 copies); or
    - ii.  paper
- c.  Statements verifying identity of above copies

**ACCOMPANYING APPLICATION PARTS**

9.  Assignment Papers (cover sheet & document(s))
10.  37 CFR 3.73(b) Statement  Power of Attorney  
*(when there is an assignee)*
11.  English Translation Document *(if applicable)*
12.  Information Disclosure Statement (IDS)/PTO-1449  Copies of IDS Citations
13.  Preliminary Amendment
14.  Return Receipt Postcard (MPEP 503)  
*(Should be specifically itemized)*
15.  Certified Copy of Priority Document(s) *(if foreign priority is claimed)*
16.  Request and Certification under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17.  Other: -----

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

 Continuation     Divisional     Continuation-in-part (CIP)

of prior application No.: 60216,531/\_\_\_\_\_

Prior application information:

Examiner \_\_\_\_\_

Group Art Unit: \_\_\_\_\_

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

**19. CORRESPONDENCE ADDRESS**

<input checked="" type="checkbox"/> Customer Number or Bar Code Label	23865 <i>(Insert Customer No. or Attach bar code label here)</i>	or	<input checked="" type="checkbox"/> Correspondence address below
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Name	Richard H. Pagliery				
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City	San Diego	State	CA	Zip Code	92130-2081
Country	USA	Telephone	858/720-2500	Fax	858/720-2555

Name (Print/Type)	Richard H. Pagliery	Registration No. (Attorney/Agent)	44,276
Signature			Date July 5, 2001

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## NEW UTILITY APPLICATION

UNDER 37 CFR § 1.53(b)

TITLE: A COMBINATION OF FBPASE INHIBITORS AND  
ANTIDIABETIC AGENTS FOR THE TREATMENT  
OF DIABETES

APPLICANT(S): Paul D. van Poelje; Mark D. Erion; Toshihiko  
Fujiwara

### CORRESPONDENCE ENCLOSED:

Utility Patent Application Transmittal (1 pg); Fee  
Transmittal (1pg); Specification and claims ( 389 pgs);  
Abstract (1pg); Grant of Power of Attorney from Sankyo (2  
pgs); Grant of Power of Attorney from Metabasis (2 pgs);  
Assignment from Fujiwara to Sankyo & Recordation Form  
Cover Sheet (4 pgs); Assignment from van Poelje & Erion  
to Metabasis & Recordation Form Cover Sheet (5 pgs);  
Declaration of Inventorship (2 documents/4 pgs); check in  
the amount of \$3,000.00

"EXPRESS MAIL" Mailing Label Number EL 675945544 US Date of Deposit July 5, 2001 I  
hereby certify under 37 CFR §1.10 that this correspondence is being deposited with the United  
States Postal Service as "Express Mail Post Office to Addressee" with sufficient postage on the  
date indicated above and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

Dulcie Donoso Fontt  
Dulcie Donoso-Fontt

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JC928 J.S. PTO  
07/05/01

# FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$3756.00)

## Complete if Known

Application Number	To be assigned
Filing Date	Herewith
First Named Inventor	van Poelje
Examiner Name	To be assigned
Group Art Unit	To be assigned

Attorney Docket No. 030727.0037.CIP1

METHOD OF PAYMENT		FEE CALCULATION (continued)																																																																																																																																																																																													
1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated Deposit Account Number 50-1273  Deposit Account Name Brobeck, Phleger & Harrison LLP  <input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		<b>3. ADDITIONAL FEES</b> <table border="1"> <thead> <tr> <th>Large Entity Fee Code</th> <th>Fee (\$)</th> <th>Small Entity Fee Code</th> <th>Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>105</td><td>130</td><td>205</td><td>65</td><td>Surcharge – late filing fee or oath</td><td></td></tr> <tr><td>127</td><td>50</td><td>227</td><td>25</td><td>Surcharge – late provisional filing fee or cover sheet</td><td></td></tr> <tr><td>139</td><td>130</td><td>139</td><td>130</td><td>Non-English specification</td><td></td></tr> <tr><td>147</td><td>2,520</td><td>147</td><td>2,520</td><td>For filing a request for ex parte reexamination</td><td></td></tr> <tr><td>112</td><td>920*</td><td>112</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr> <tr><td>113</td><td>1,840*</td><td>113</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr> 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\*\*or number previously paid, if greater. For Reissues, see above

SUBMITTED BY		Complete (if applicable)		
Name (Print/Type)	Richard H. Pagliery	Registration No (Attorney/Agent)	44,276	Telephone (858) 720-2500
Signature	<i>Richard H. Pagliery</i>		Date	July 5, 2001

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